

## REMARKS

The present application contains claims 1-74. Claims 1 and 70 are currently amended and claims 75-89 are now cancelled.

All the claims are rejected under provisional judicial type double patenting in view of USSN 10/048,803. A terminal disclaimer is attached herewith to overcome this rejection.

Claims 70, 75-77, 79, and 81 to 89 stand rejected under 35 U.S.C. 102(b) in view of Avitall, and claims 1-89 stand rejected under U.S.C 103(a) in view of Chance, Lattin, and further in view of Aoki et al.

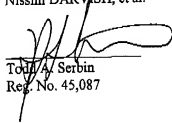
Applicants thank the Examiner for his courtesy in the telephone interview held on July 12, 2006. In the interview, it was agreed that the prior art does not teach applying "at least one electric field which has a transport effect for transporting a molecule in a desired manner and has a non-excitatory control effect", as was originally claimed. This was agreed, as in the context of the application, a non-excitatory control effect is one that does not cause ventricular depolarization. The claims are currently amended to make even clearer that it is the electric field that has the control effect, and that the control effect "does not induce a propagating action potential in the heart". This term is used in the claims as it appears in the application, for instance on page 2 lines 6 to 9, reading: "As used herein the term "non-excitatory pulse" means an applied electric field which does not induce a propagating action potential in the heart, for example due to its frequency,...and/or its being applied at a time in the cardiac cycle when the local heart tissue does not respond to the pulse". Thus, the amendments only make explicit what was implicit.

Claim 70 is similarly amended.

015/02481 A05

In view of the above comments and amendments, an allowance of all the claims is respectfully awaited. If the Examiner is unable to agree that the claims are patentable, but feels that a telephone conversation can aid in resolving issues in dispute, the Examiner is respectfully requested to contact the undersigned at toll free +1 (877) 428-5468. This number connects directly to our office in Israel. Please note that Israel is 7 hours ahead of Washington and that our work week is Sunday-Thursday.

Respectfully submitted,  
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